REMARKS

Claims 1-19 are pending in this application. Claims 1-9 and 12-19 currently stand withdrawn. Claims 10 and 11 are amended. No new claims have been added.

1. Priority Document

The Examiner asserts that Applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b). However, the certified copies of the priority applications were filed on January 28, 2004. A copy of our date-stamped postcard is attached as evidence that the priority documents were filed.

2. Rejection under 35 U.S.C. 112

Claim 11 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim is amended to simply delete the phrase "in drying at a predetermined temperature condition" from Claim 11. It is believed that the amended claims are in full complained with 35 U.S.C. §112.

3. Rejection under 35 U.S.C. 102

Claims 10 and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by *Hatch et al.* ('423). Favorable reconsideration of this rejection is requested in view of amendments made herein.

Claim 10

With respect to a temperature at the time of drying in Claim 10, *Hatch et al.* only discloses that "Drying at a low temperature before the curing is normally desirable (Column 1 lines 55 to 56); and that the green disc (or a disc in a wet condition) thus formed (formed into a disc shape by centrifugal force in a mould) was then allowed to dry at a temperature of 50 °C overnight before curing" (Column 4, lines 26 to 29). Accordingly, *Hatch et al.* does not disclose a main feature of claim 10 or a step for making a temperature lower at one surface of the friction material and/or making a temperature higher at another surface of the friction material.

The current invention, on the other hand, purposefully uses different temperatures, low and/or high, in order to use the nature of resin in the friction material – moving from the low temperature part to the high temperature part (lines 22-25 on page 16). The different temperatures are on each surface of the friction material, not compared from an "inner surface." Claim 10 has been amended to more clearly distinguish the invention, such as the function of the heating, that is, "such that a resin amount distribution in the thickness direction becomes highest

at the non-friction surface and lowest at the friction surface" of the claimed step. In the other words, there is no direct or clear description in *Hatch et al.* about drying at a lower temperature at an inner surface (due to convective heat transfer). *Hatch et al.* fails to disclose or suggest a temperature difference at one surface and an opposite surface of the disc in the drying step as described above. *Hatch et al.* only describes about the temperature in the preliminary drying step before the curing is lower than the temperature in the curing step (Column 4, lines 26 to 29). This does not mean a temperature difference at one surface and an opposite surface of the disc in the drying step in any way.

Thus, Applicant respectfully asserts that the invention according to amended claim 10 is not anticipated by *Hatch et al* and also is not obvious from *Hatch et al.*

Claim 11

Claim 11 is patentable for at least the same reasons discussed above. In addition, *Hatch et al.* fails to disclose the main feature of claim 11 of the present invention or a step for rotating the friction material so as to make a distribution of an amount of the resin higher at an outer peripheral portion of the friction material by a centrifugal force in rotating. Moreover, there is no suggestion of such step in *Hatch et al.*

(1) Purpose of Rotation for Obtaining Centrifugal Force

With respect to Claim 11, rotating purpose of claim 11 is different from that of *Hatch et al.* *Hatch et al.* discloses a step for supplying a slurry material for forming disc into an open center

of a mould 8 and rotating the mould 8 (Column 3, lines 30 to 41), that is rotated for the purpose of separating a liquid component and a solid component in the slurry material and discharging the liquid component (water) outside from the upper open center of the mould 8 (Column 3, lines 53 to 59). Particularly, the mould 8 is not rotated in a drying step but at the same time of supplying of the slurry material in the mould 8 before the drying step. Thereafter, an obtained green disc (wet disc) is dried in the drying step (Column 4, lines 23 to 28). On the other hand, claim 11 is directed to rotating the friction material in the drying step.

(2) Fiber Distribution

With respect to a resin distribution, *Hatch et al.* discloses an advantage that fibers are circumferentially oriented automatically without any special orienting step for the fibers. *Hatch et al.* takes it as its main purpose or object (Column 1, line 60 to 61). In order to achieve the object, *Hatch et al.* rotates the mould 8 simultaneously with supplying the material into the mould 8 so that the fibers in the material be oriented by a centrifugal force. This is shown by (1) a problem in a conventional manufacturing method of a friction material (Column 1, lines 25 to 38), more precisely, a problem that "the orientation of the fibers are always substantially random" (Column 1, lines 37 to 38) and by (2) a problem in a conventional manufacturing method of a friction material (Column 1, lines 39 to 47), more precisely, a problem that the fibers must be carded and spun into yarn or the like (Column 1, lines 45 to 47). Namely, *Hatch et al.* rotates the

mould or plate 8 only for the purpose of achieving such object to orient the fibers in the circumferential direction (column 1, line 60, Column 2, line 6).

Claim 11 provides for a high resin distribution at the peripheral portion of the friction material by centrifugal force, in addition to providing a resin distribution difference in the thickness direction. Thus, a three dimensional process is provided. This feature is directed to a three dimensional process as illustrated in Fig 6 and described on page 26 of the specification. *Hatch et al.* does not rotate the mould 8 in view of a resin distribution as in the present invention according to claim 11.

In view of the above, claims 10 and 11, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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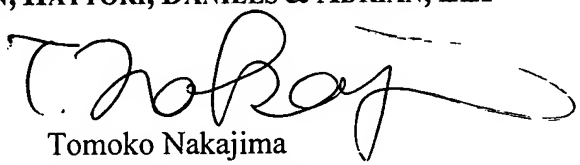

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Attachments: Copy of Claim for Priority w/cover page of certified document
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